

Mail Stop RCE

Modified PTO/SB/30 (08-00)

Approved for use through 10/31/2002, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Section (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/437,450
Filing Date	November 10, 1999
First Named Inventor	Freedman
Group Art Unit	1632
Examiner Name	Paras Jr., P.
Attorney Docket Number	1579-315

NOTE: This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider
filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment
provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim
Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment Under Rule 116/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other 43 Sheets of Formal Drawings, MULTIPLE SEQUENCE ALIGNMENT

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for
a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ Applicant claims "small entity" status.
- b. ☒ Fees are attached as calculated below:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$ 385.00
- ii. ☒ Petition is made to extend the due date 4 months (less _____ months previously paid) \$ 740.00
- iii. ☐ Other \$ _____
- c. ☒ Check in the amount of \$ 1125.00 _____ enclosed
- d. ☐ Payment by credit card (Form PTO-2038 enclosed)
- e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed
herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Mary J. Wilson	Registration No. (Attorney/Agent)	32,955
Signature	<i>Mary J. Wilson</i>	Date	March 15, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Mary J. Wilson	Registration No. (Attorney/Agent)	32,955
Signature	<i>Mary J. Wilson</i>	Date	March 15, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FREEDMAN et al

Atty. Ref.: 1579-315; Confirmation No. 7992

Appl. No. 09/437,450

TC/A.U. 1632

Filed: November 10, 1999

Examiner: Paras Jr., P.

For: STRESSOR REGULATED GENES

* * * * *

March 15, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 116

This is in response to the Office Action dated May 14, 2003, in the above matter, a Notice of Appeal having been filed September 15, 2003, and the period for response having been extended up to March 15, 2004, by submission of the required petition and fee herewith. Kindly amend this application as follows.